

UNITED STATES BANKRUPTCY COURT
DISTRICT OF COLORADO

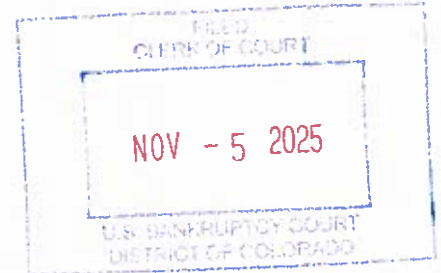
James Michael Davis (Pro Se)

Former Fiduciary & Contract CEO, Astra Veda Corporation
Assignee & Creditor Representative of Penobscot Enterprises International, Inc. (PEI)
Interested Party to the Estate of Astra Veda Corporation
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November 01, 2025

Clerk of the Court

United States Bankruptcy Court
District of Colorado
721 19th Street
Denver, CO 80202



Re: In re Astra Veda Corporation, Case No. 25-14283-KHT —

**MOTION TO CLARIFY AND FOR LIMITED RECONSIDERATION OF MINUTE ORDER
(DOCKET 33)**

Dear Clerk of Court:

Please find enclosed for filing **The Motion to Clarify and for Limited Reconsideration of Minute Order (Docket 33) Regarding Rule 2004 Examination and Omission of Paper-Filed Supplemental Statement (Docket 32)** along with a Certificate of Service confirming service on all interested parties, including Trustee Harvey Sender, Debtor's Counsel Robertson B. Cohen.

Kindly docket this filing under the above-referenced case. Please understand that, as a pro se creditor, I am submitting this document via US mail and do not require a conformed copy to be returned.

If the Court requires additional copies or any further information, please contact me at the above email address.

Respectfully submitted,

/s/ James M Davis

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF COLORADO**

In re:

Astra Veda Corporation,
Debtor.

Case No. 25-14283-KHT
Chapter 7

**MOTION TO CLARIFY AND FOR LIMITED RECONSIDERATION OF MINUTE ORDER
(DOCKET 33) REGARDING RULE 2004 EXAMINATION AND OMISSION OF PAPER-FILED
SUPPLEMENTAL STATEMENT (DOCKET 32)**

I. INTRODUCTION

Comes now, James Michael Davis ("Mr. Davis"), Creditor and Assignee of Penobscot Enterprises' Claims, appearing pro se, and respectfully moves this Honorable Court for clarification and, in the alternative, limited reconsideration of the Court's Minute Order entered on October 29, 2025 (Docket 33) concerning the Rule 2004 Examinations and the denial of the Motion for Protective Order (Docket 20).

As a pro se creditor and assignee of Penobscot Enterprises' claims, Mr. Davis is not permitted to file electronically and is therefore required to submit all pleadings in paper form through the Clerk's Office. This restriction results in an inherent discrimination bias and communication delay—often exceeding one week or more—in receiving confirmation, docket updates, or orders from the Court. Despite this systematic limitation, Mr. Davis timely delivered his Supplemental Statement, Rebuttal, and Declaration (the "Supplemental Statement") to the Court approximately twenty-nine (29) hours before the preliminary hearing on October 29, 2025. However, due to an apparent administrative or clerical error, that filing was not entered into the CM/ECF record, nor reflected in the Minute Order, despite its critical relevance to the Rule 2004 proceedings.

Furthermore, Mr. Davis served as a contract fiduciary to Astra Veda Corporation through Penobscot Enterprises International ("PEI"). In that capacity, PEI was indemnified by Astra for all acts undertaken on the company's behalf. Likewise, Astra Veda Corporation was contractually indemnified by Ballistic Barrier Products, Inc. ("BBP") for the professional and administrative services it provided pursuant to written agreements executed between the companies in 2021. This mutual indemnification structure demonstrates that Astra acted within the scope of its contracted obligations and that any liability or dispute arising from those engagements is governed by the indemnity chain between BBP and Astra. Accordingly, all subpoenas, examinations, or discovery requests related to Astra Veda Corporation's activities should be directed to the duly appointed Chapter 7 Trustee, not to Mr. Davis personally or to PEI, as any causes of action or estate rights now belong solely to the Trustee under Title 11.

Mr. Davis further seeks relief to ensure that non-debtor documents belonging to Penobscot Enterprises International (“PEI”), which are unrelated to Astra Veda Corporation’s transactions or estate property, are not subject to discovery by Ballistic Barrier Products (“BBP”), Todd Baszucki, Scott Eppinga or any affiliated parties. These records are private, confidential, and pertain to ongoing civil litigation, including Davis v. Eppinga, Eppinga, and Think Humble Inc. (Los Angeles County Superior Court Case No. 23STCV25985), and pending causes of action involving BBP and Mr. Baszucki. The omitted Supplemental Statement specifically addressed this overreach, and its exclusion from the record has left these fundamental protections unresolved.

Mr. Davis brings this motion in good faith to protect his civil and procedural rights as a pro se party, ensuring that his timely paper submission and the factual record of this case are preserved and properly reflected in the Court’s docket.

II. BACKGROUND

1. On or about October 28, 2025, Mr. Davis FedEx delivered a paper filing to the Clerk of Court titled “Supplemental Statement, Rebuttal, and Declaration Clarifying Fiduciary Conduct and Addressing the Response and Declaration Filed by Ballistic Barrier Products, Inc.” (“Supplemental Statement”).
2. The document was delivered twenty-nine (29) hours before the Court’s preliminary hearing on the Rule 2004 motions and the Motion for Protective Order.
3. The Clerk’s CM/ECF system later displayed the notation: “This entry entered in error. Disregard following entry per CM request.” This indicates that the filing was administratively voided or mis-entered by the Clerk’s Office and delayed transmitted to chambers.
4. As a result, the Supplemental Statement was not reviewed during the hearing, nor referenced in the Court’s subsequent Minute Order, despite its substantive relevance to the issues argued and to the procedural sequence of discovery under Rule 2004.

III. ARGUMENT

The omission of the Supplemental Statement, combined with Mr. Davis’s inability to use the electronic filing system, has resulted in material procedural prejudice. The exclusion of a timely paper filing from judicial review effectively denied Mr. Davis the right to be heard, thereby implicating his civil and procedural rights under applicable federal law and the Due Process Clause of the United States Constitution.

The omitted Supplemental Statement outlined that the Rule 2004 discovery sought by BBP and Mr. Baszucki extends to PEI’s independent business records, which are not property of Astra’s bankruptcy estate. Under Fed. R. Bankr. P. 2004(c), discovery is limited to the “acts, conduct, or property of the debtor.” The Court has neither authorized nor compelled production of non-debtor, third-party materials. To compel such disclosure would

exceed jurisdictional limits, undermine ongoing civil litigation, and compromise the rights of a pro se litigant seeking to protect confidential property.

Mr. Davis celebrates the Trustee's proper exercise of authority to review Astra Veda Corporation's records within a reasonable four-to-five-year look-back period, as permitted by the Bankruptcy Code. However, BBP, Mr. Baszucki, or any other private parties are outside that authority and "out-of-band" with respect to the Trustee's discovery powers.

Furthermore, Astra Veda Corporation's engagement with Ballistic Barrier Products, Inc. ("BBP") was based upon a written contract executed in 2021 that expressly provided for indemnification of Astra by BBP for the professional and administrative services rendered. This indemnification further insulates Mr. Davis and PEI, who acted only as fiduciary agents under Astra's direction. Consequently, any disputes or discovery related to Astra's work for BBP fall within the contractual and indemnity boundaries between those entities, and not upon Mr. Davis personally. The indemnification provisions reinforce that all such matters properly belong under the authority of the Chapter 7 Trustee, who now holds all rights, claims, and causes of action of the estate.

Pursuant to Fed. R. Bankr. P. 9024 (clerical mistakes) and Fed. R. Bankr. P. 9005 (harmless error), incorporating Fed. R. Civ. P. 60(a) and 61, the Court may correct omissions or errors in the record where necessary to reflect the true course of proceedings. The record shows that Mr. Davis's filing was timely, properly delivered, and administratively mishandled through no fault of his own. Reinstating or accepting the filing nunc pro tunc will restore completeness and ensure the integrity of the Court's record.

IV. RELIEF REQUESTED

This motion is brought pursuant to **Fed. R. Bankr. P. 9024** (clerical mistakes) and **Fed. R. Bankr. P. 9005** (harmless error), which incorporate **Fed. R. Civ. P. 60(a)** and **61**.

Mr. Davis respectfully requests that the Court:

1. Clarify whether the paper-filed Supplemental Statement (submitted October 28, 2025) was reviewed or considered prior to the October 29 hearing;
2. If the Court did not review the document, accept or re-enter the filing nunc pro tunc to restore it to the record;
3. Alternatively, permit Mr. Davis to refile the Supplemental Statement without prejudice;
4. Clarify and confirm that Ballistic Barrier Products, Todd Baszucki, or any related parties may not compel, request, or receive access to PEI or Davis-held personal documents that are not directly related to Astra Veda Corporation's estate transactions, financial records, or debtor property; and

5. Direct that any subpoenas, discovery requests, or examinations concerning Astra Veda Corporation or its causes of action be directed exclusively to the Chapter 7 Trustee, as Mr. Davis and PEI acted only in a contract fiduciary capacity and are indemnified by Astra, with all estate-related rights now resting with the Trustee.

V. CONCLUSION

Mr. Davis respectfully brings this motion in good faith to protect his civil rights as a distant pro se litigant and to ensure that the record accurately reflects his timely and relevant submission. Granting this motion will correct the administrative omission, reaffirm that discovery remains confined to Astra's estate, and ensure that subpoenas and estate causes of action are administered by the Trustee. Non-debtor PEI materials—irrelevant to Astra's financial condition—must remain protected from misuse or compelled production by adverse litigants.

Because these state level disputes remain pending, reinstating or accepting the Supplemental Statement nunc pro tunc is essential to protect Mr. Davis's civil rights, preserve the integrity of this record, and prevent prejudice to his positions in the related Scott and Ben Eppinga, Todd Baszucki, and Andy Finch, Ron Egres, Jr. and Jeff Christensen the Officers and Directors of BBP.

The relief requested will not only correct the omission of a timely filing but will also preserve the boundary between the Astra estate and non-debtor assets, ensuring that only the Trustee conducts discovery within the authorized look-back window. Ballistic Barrier Products, Todd Baszucki, and other non-estate parties are outside the scope of the Trustee's authority and must not use this proceeding to obtain unrelated PEI or Davis materials.

Respectfully submitted,

/s/ James Michael Davis

Former Fiduciary & Contract CEO, Astra Veda Corporation

Assignee of Penobscot Enterprises International, Inc.

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Pro Se Party

CERTIFICATE OF SERVICE

I hereby certify that on day of this certificate, a true and correct copy of the foregoing **A Motion To Clarify And For Limited Reconsideration Of Minute Order (Docket 33) Regarding Rule 2004 Examination And Omission Of Paper-Filed Supplemental Statement (Docket 32)** and this Certificate of Service was served upon the parties listed below by the method indicated.

VIA Electronic Notice:

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U.S. Trustee

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DATED this 1st day of November 2025

Respectfully submitted,

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